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ROBERT J. CHANSLER

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11/20/2006

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EXAMINER

NAHAR, QAMRUN

ART UNIT

PAPER NUMBER

2191

DATE MAILED: 11/20/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/467,310

Applicant(s)

CHANSLER, ROBERT J.

Examiner

Qamrun Nahar

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 August 2006.  
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-9, 11-29, 31-33 and 35-38 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1-9, 11-29, 31-33 and 35-38 is/are rejected.  
7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application  
6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

1. This action is in response to the amendment filed on 08/21/2006.
2. Claims 11, 21, 24, 31 and 32 have been amended.
3. Claims 1-9, 11-29, 31-33 and 35-38 are pending.

### ***Response to Amendment***

### ***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1-9, 11-29, 31-33 and 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Rangarajan (U.S. 6,275,225) in view of Atkin (U.S. 5,907,326).

### **Per Claim 1:**

Rangarajan teaches a method of defining a user interface for a computer program, comprising: after execution of the computer program has begun (*Start 201* of fig. 2; col. 5, line 8), defining a user interface of the program (col. 5, lines 56-58) by: reading a function description of a first function to be provided by the user interface (col. 7, lines 8-14, and 605 and 607 of fig. 6), the function description including logic for selecting an appearance of the user interface (col. 7, lines 45-61; e.g. *Topology View, Pie/Bar*), the function description comprising instructions for handling user interface events (col. 8, lines 22-33); executing the logic included

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in the function description to select an appearance description of a first appearance to be presented by the user interface (col. 7, lines 30-61; selecting on different boxes and radio buttons 511 in fig. 5 prompts the system to execute the logic to select different appearance descriptions to present to the user interface); associating the function description and the appearance description on the fly at run time into an executable form; and executing the executable form of the user interface to generate the user interface with the associated function description and appearance description (col. 5, lines 32-46; 215 of fig. 2; col. 7, line 62 to col. 8, line 12; and col. 9, lines 49-52; By the mere fact that the functionality and the appearance of the GUIs are both established at the same time does not imply that there are no separate function and appearance descriptions. The functionality and the appearance of the GUIs are both established at the same time when the configuration is saved. However, the modify procedure does allow separate modification of the functionality and the appearance of the GUIs, see col. 9, lines 41-47).

Rangarajan does not explicitly teach that the function description includes logic for selecting an appearance of the user interface based on a geographic location of a user of the computer program on the fly at run time. Atkin teaches that the function description includes logic for selecting an appearance of the user interface based on a geographic location of a user of the computer program on the fly at run time (see e.g. abstract; col. 3, line 64 to col. 4, line 4; and col. 4, lines 19-26).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the method disclosed by Rangarajan to include that the function description includes logic for selecting an appearance of the user interface based on a geographic location of a user of the computer program on the fly at run time using the teaching

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of Atkin. The modification would be obvious because one of ordinary skill in the art would be motivated to enable cultural profiles of an application to be dynamically changed while the application is running (Atkin, col. 3, lines 59-61).

**Per Claim 2:**

Rangarajan teaches replacing the function description during program execution while providing a continuity of presentation (col. 8, lines 57-65 and “ ... The profile-manager display 800 is invoked by the user selecting the appropriate SCA within the information display console ... Once invoked, the profile-manager display 800 contains a *window 801*. The profile-manager display 800 presents a default configuration indication 803 that names the configuration ... The profile-manager display 800 includes a selection of SCAs that allow the user to invoke operations. ... ” (emphasis added) in column 9, lines 12-37).

**Per Claim 3:**

Rangarajan teaches replacing the appearance description during program execution to present logic of the user interface with a different appearance (col. 8, lines 57-65 and “ ... The *user customizable GUI* allows the user to modify a GUI to meet the user’s needs. ... ” (emphasis added) in column 10, lines 14-20).

**Per Claim 11:**

Rangarajan teaches a method of defining a user interface for a computer program, comprising: selecting a map component and a fashion component, wherein at least one of the

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map component and the fashion component are selected automatically according to an environment variable on the fly at run time (col. 9, lines 22-34); associating the map component and the fashion component to generate the user interface (fig. 8; col. 9, lines 22-34 and col. 9, lines 49-52), the map component including logic for changing one of the map component and the fashion component (col. 9, line 59 to col. 10, line 13), the map component including instructions for handling and processing interface objects and events (col. 8, lines 22-33; and col. 9, lines 27-58); combining the map component and the fashion component into an executable form; and executing the user interface with the associated map component and fashion component (fig. 8; col. 7, line 62 to col. 8, line 12; col. 9, lines 22-34; and col. 9, lines 49-52).

Rangarajan does not explicitly teach that selecting at least one of a map component and a fashion component according to a geographic location of a user of the computer program on the fly at run time. Atkin teaches that selecting at least one of a map component and a fashion component according to a geographic location of a user of the computer program on the fly at run time (see e.g. abstract; col. 3, line 64 to col. 4, line 4; and col. 4, lines 19-26).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the method disclosed by Rangarajan to include that selecting at least one of a map component and a fashion component according to a geographic location of a user of the computer program on the fly at run time using the teaching of Atkin. The modification would be obvious because one of ordinary skill in the art would be motivated to enable cultural profiles of an application to be dynamically changed while the application is running (Atkin, col. 3, lines 59-61).

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**Per Claim 21:**

This is a computer-readable medium version of the claimed method discussed above, claim 1, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also obvious.

**Per Claims 22-23:**

These are computer-readable medium versions of the claimed method discussed above (claims 2-3, respectively), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, these claims are also obvious.

**Per Claim 31:**

This is a computer-readable medium version of the claimed method discussed above, claim 11, wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also obvious.

**Per Claim 32:**

This is a system version of the claimed method discussed above (claims 1 and 3), wherein all claim limitations also have been addressed and/or covered in cited areas as set forth above. Thus, accordingly, this claim is also obvious.

**Per Claim 33:**

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Rangarajan teaches wherein the device is a display *or* a sound input-output device (Fig. 1, item 111, a display unit).

**Per Claim 36:**

Rangarajan teaches means for changing the map component while providing a continuity of presentation during program execution using the fashion component (col. 9, lines 22-34).

**Per Claim 37:**

Atkin teaches customizing a selection base of function descriptions and appearance descriptions based on a geographic location of a user (see e.g. abstract; col. 3, line 64 to col. 4, line 4; and col. 4, lines 19-26).

**Per Claim 38:**

Rangarajan teaches wherein a selection of at least one of the function description and the appearance description is made according to an environment variable (col. 9, lines 22-34).

Furthermore, as per claims 4-9, 12-20 and 24-29, Rangarajan teaches the limitations in these claims, wherein all claim limitations have been addressed and/or covered in cited areas as set forth in the Office Action, Mailed on 12/29/03, paragraph 4. See the rejection in the Office Action, Mailed on 12/29/03, paragraph 4.



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6. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Rangarajan (U.S. 6,275,225) in view of Atkin (U.S. 5,907,326), and further in view of Sanna, et al. "Using Windows NT Workstation 4.0", 1997 (hereinafter Sanna).

**Per Claim 35:**

The rejection of claim 32 is incorporated, and further, the combination of Rangarajan and Atkin does not explicitly teach that the device is a telephone. Sanna teaches that a telephone connects to a PC system and utilizes the PC monitor to present a user interface associated with the telephone ("Using Phone Dialer", pg. 442, par. 6 to par. 7).

It would have been obvious to one having ordinary skill in the computer art at the time of the invention was made to modify the system disclosed by the combination of Rangarajan and Atkin to include that the device is a telephone using the teaching of Sanna. The modification would be obvious because one of ordinary skill in the art would be motivated to give a user an extra option to present the user interface.

***Response to Arguments***

7. Applicant's arguments filed on 08/21/2006 have been fully considered but they are not persuasive.

*In the remarks, the applicant argues that:*

a) The combination of Rangarajan and Atkin fails to teach executing the logic included in the function description to select an appearance description of a first appearance to be presented by the user interface; associating the function description and the appearance description on the

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fly at run time into an executable form; and executing the executable form of the user interface to generate the user interface with the associated function description and appearance description.

Further, there are no separate function and appearance descriptions. Rangarajan fails to teach the “existence of a function description separate from an appearance description”.

*Examiner's response:*

a) Examiner strongly disagrees with applicant's assertion that the combination of Rangarajan and Atkin fails to disclose the claimed limitations recited in claim 1. The combination of Rangarajan and Atkin clearly shows each and every limitation in claim 1.

As previously pointed out in the last Office Action (Mailed on 05/22/2006, par. 7), Rangarajan teaches executing the logic included in the function description to select an appearance description of a first appearance to be presented by the user interface (col. 7, lines 30-61; selecting on different boxes and radio buttons 511 in fig. 5 prompts the system to execute the logic to select different appearance descriptions to present to the user interface); associating the function description and the appearance description on the fly at run time into an executable form; and executing the executable form of the user interface to generate the user interface with the associated function description and appearance description (col. 5, lines 32-46; 215 of fig. 2; col. 7, line 62 to col. 8, line 12; and col. 9, lines 49-52; By the mere fact that the functionality and the appearance of the GUIs are both established at the same time does not imply that there are no separate function and appearance descriptions. The functionality and the appearance of the GUIs are both established at the same time when the configuration is saved. However, the

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modify procedure does allow separate modification of the functionality and the appearance of the GUIs, see col. 9, lines 41-47).

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a function description separate from an appearance description) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In addition, see the rejection above in paragraph 5 for rejection to claim 1.

*In the remarks, the applicant argues that:*

b) For claims 2 and 3, Rangarajan does not disclose the use of separate function descriptions and appearance descriptions. Further, Rangarajan does not disclose “replacing the function description during program execution while providing a continuity of presentation” or “replacing the appearance description during program execution to present logic of the user interface with a different appearance”.

*Examiner's response:*

b) In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a function description separate from an appearance description) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification

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are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Furthermore, Rangarajan teaches replacing the function description during program execution while providing a continuity of presentation (col. 8, lines 57-65 and “ ... The profile-manager display 800 is invoked by the user selecting the appropriate SCA within the information display console ... Once invoked, the profile-manager display 800 contains a *window 801*. The profile-manager display 800 presents a default configuration indication 803 that names the configuration ... The profile-manager display 800 includes a selection of SCAs that allow the user to invoke operations. ... ” (emphasis added) in column 9, lines 12-37) as recited in claim 2; and teaches replacing the appearance description during program execution to present logic of the user interface with a different appearance (col. 8, lines 57-65 and “ ... The *user customizable GUI* allows the user to modify a GUI to meet the user’s needs. ... ” (emphasis added) in column 10, lines 14-20) as recited in claim 3.

In addition, see the rejection above in paragraph 5 for rejection to claims 2 and 3.

*In the remarks, the applicant argues that:*

c) For claim 11, Rangarajan does not disclose the use of separate function descriptions and appearance descriptions. Further, Atkin does not disclose that at least one of the map component and the fashion component are selected automatically according to a geographic location of a user of the computer program on the fly at run time.

*Examiner’s response:*

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c) In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., a function description separate from an appearance description) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

In addition, the step of selecting is not automatic. However, see *In re Venner*, 262 F.2d 91, 95, 120 USPQ 193, 194 (CCPA 1958) broadly providing an automatic or mechanical means to replace a manual activity which accomplished the same result is not sufficient to distinguish over the prior art. It would have been obvious to one of ordinary skill in the computer art at the time the invention was made to automate such known manual activity in determining a geographic location of a user. One would be motivated to do so achieve greater efficiency in performing the above-described task.

In addition, see the rejection above in paragraph 5 for rejection to claim 11.

*In the remarks, the applicant argues that:*

d) Claim 21 includes elements similar to claim 1. Therefore, claim 21 allowable for reasons set forth with respect to claim 1.

*Examiner's response:*

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d) The Examiner has already addressed the applicant's arguments regarding claim 1 in the Examiner's Response (a) above, therefore, see Examiner's Response (a) above. In addition, see the rejection above in paragraph 5 for rejection to claim 21.

*In the remarks, the applicant argues that:*

e) Claim 31 includes elements similar to claim 11. Therefore, claim 31 allowable for reasons set forth with respect to claim 11.

*Examiner's response:*

e) The Examiner has already addressed the applicant's arguments regarding claim 11 in the Examiner's Response (c) above, therefore, see Examiner's Response (c) above. In addition, see the rejection above in paragraph 5 for rejection to claim 31.

*In the remarks, the applicant argues that:*

f) Claim 32 includes elements similar to claims 11 and 31. Therefore, claim 32 allowable for reasons set forth with respect to claims 11 and 31. Further, claim 32 is allowable for reasons set forth with respect to claim 3.

*Examiner's response:*

f) The Examiner has already addressed the applicant's arguments regarding claims 11 and 31 in the Examiner's Responses (c) and (e) above, therefore, see Examiner's Responses (c) and (e) above. In addition, see the rejection above in paragraph 5 for rejection to claim 32.

*In the remarks, the applicant argues that:*

g) For claim 35, Sanna does not disclose a telephone coupled to the processor presents the user interface.

*Examiner's response:*

g) Examiner strongly disagrees with applicant's assertion that the combination of Rangarajan, Atkin, and Sanna fails to disclose the claimed limitations recited in claim 35. The combination of Rangarajan, Atkin, and Sanna clearly shows each and every limitation in claim 35.

As previously pointed out in the last Office Action (Mailed on 05/22/2006, par. 8), Sanna teaches that a telephone connects to a PC system and utilizes the PC monitor to present a user interface associated with the telephone ("Using Phone Dialer", pg. 442, par. 6 to par. 7). Furthermore, claim 35 calls for a device (or telephone) coupled to the processor to present the user interface; however, claim 35 does not call "for the device – the telephone – to present the user interface" as asserted by applicant.

In addition, see the rejection above in paragraph 6 for rejection to claim 35.

#### ***Conclusion***

8. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

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A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

9. Any inquiry concerning this communication from the examiner should be directed to Qamrun Nahar whose telephone number is (571) 272-3730. The examiner can normally be reached on Mondays through Fridays from 9:30 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wei Y Zhen, can be reached on (571) 272-3708. The fax phone number for the organization where this application or processing is assigned is (571) 273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the TC 2100 Group receptionist whose telephone number is 571-272-2100.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR



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system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Qamrun Nahar  
November 13, 2006



WEI ZHEN  
SUPERVISORY PATENT EXAMINER